(X) such other matters as the Commission considers proper or necessary for the purpose aforesaid or as may be referred to it from time to time by the Government.

Profit and loss in EPI

1846. DR. MOHD. HASHIM KIDWAI: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that Engineering Projects (India) Limited is still running into losses;

(b) if so, what are the details of profits and losses during the last three years; and

(c) what are the reasons of losses?

THE MINISTER OF STATE IN THE DEPARTMENT OF PUBLIC ENTERPRISES IN THE MINISTRY OF INDUSTRY (PROF. K. K. TEWARY): (a) Yes, Sir.

(b) Net losses incurred by the company during the last three years are:—

	(Rs. in crores)
1983-84	31.42
1984-85	14.98
1985-86	34.43

(c) Losses incurred by the Company have been primarily on two overseas projects viz. Al-Fridous Housing Project, Kuwait and Council of Ministers Building Project, Iraq mainly due to heavy escalation in prices during implementation of the projects, rigid attitude of the clients in the matter of acceptance of works and settlement of claims heavy interest burden and guarantee charges and onset of conflict between Iran and Iraq.

Research and Development Centres to reduce technology import

1847. DR. MOHD. HASHIM KIDWAI: Will the Minister of INDUSTRY be pleased to refer to the answer to Unstarred Question 1216 given in the Rajya Sabha on the 13th May, 1985 and state:

(a) how many research and development centres to reduce technology import have been set up in the country; and

(b) what are the details of financial assistance given to these centres?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT IN THE MINISTRY OF INDUSTRY (SHRI M. ARUNACHALAM): (a) Government is operating a scheme to grant recognition to in-house R&D Units in order to encourage research & development in industry. According to the latest Directory of Recognised In-house R&D Units, brought out in February, 1985 by Ministry of Science & Technology, 877 R&D units have been recognised.

(b) No direct financial assistance is offered by Government to recognised R&D units. However, such units take advantage of the tax concessions and other facilities offered by Government from time to time.

Special leave petitions in Supreme Court

1848. SHRI K. GOPALAN:
SHRI V. GOPALSAMY:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) how many Special Leave petitions have been admitted in the Supreme Court during the last three years, year-wise;

(b) how many are presently pending before the court for disposal;

(c) how many are more than (i) three years and (ii) five years old;

(d) how many special leave petitions have been disposed of during the above period; and

(e) what is the rate of disposal and what steps are being taken to clear off the pending list?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) The registry of the Supreme Court has intimated that the registry does not maintain separately any record of the total number of Special Leave Petitions admitted in the Supreme Court. However, the total number of disposal for the last three years which includes both admitted and dismissed matters is as follows:

1983	23815
1984	16909
1985	12985
TOTAL . . .	53709

(includes admitted and dismissed matters)

(b) As furnished by the Registry of the Supreme Court, the pending Special Leave Petitions (Civil Criminal) on 1.11.1986 were 35052.

(c) The Registry of the Supreme Court has furnished the pendency as under:

3 or more than 3 years old—5489

5 or more than 5 years old—1168

(These figures include some matters directed to be listed with certain appeals yet to be heard as directed by the Court from time to time).

(d) As furnished by the Registry of Supreme Court, the disposal of Special Leave Petitions for the last three years and five years is as under:

Three years—53709 (from 1983 to end of 1985)

Five years—77953 (from 1981 to end of 1985)

(e) As intimated by the Registry of the Supreme Court the rate of disposal of Special Leave Petitions during the last five years is 15591.

Steps taken to reduce pendency are given in the attached statement.

Statement

Steps taken from time to time to reduce pendency in Supreme Court

The following steps have been taken in recent years to reduce pendency in the Supreme Court:

1. Elimination of arrears in all the Courts has been discussed in the Conference of Chief Justices, Chief Ministers and Law Ministers of States held on 31st August—1st September, 1985 and the Resolutions of the Conference have been commended to the High Courts and the State Governments.

2. The Code of Civil Procedure was amended in 1976 to abolish Letters Patents Appeals from Judgment of Single Judge of the High Court in Second Appeal (vide Sec. 100A).

3. The Code of Criminal Procedure based on the recommendations of the Law Commission was enacted in 1973.

4. The Judge strength of the Supreme Court has been raised from 17 to 25 (excluding the Chief Justice), with effect from 10.05.1986 by amending the Supreme Court (Number of Judges) Act, 1956.

5. The Supreme Court has also taken the following measures:

(i) Priority is given to certain matters;

(ii) Miscellaneous matters are fixed daily;

(iii) Writ Petitions with identical questions are grouped together and bacthes running from 50 to 100 matters are listed together for hearing.

(iv) Other matters involving identical questions are also identified from time to time and put together, and efforts are made to see that such groups are disposed of early;

(v) The Supreme Court Rules were revised in 1966 providing for printing of records under its own supervision. As that was also taking quite sometime the Court, of late has started wherever possible, dispensing with the preparation of records, and hearing the appeals on Special Leave Paper-Book itself, after the parties have filed their counter-affidavits and affidavits in reply;

(vi) To save the Court's time, the Honourable Chief Justice of India is taking mentioning after Court's hours, which were previously taking at least about one hour;

(vii) In criminal Appeals, Counsel for the Appellant is required to file cyclostyled record to save time in getting it printed, so that the matters could be heard early;

(viii) The Supreme Court Rules have been amended empowering the Honourable Judge in Chambers and the Registrar to dispose of certain types of matters, which were previously being listed in the Court. This has been to save the Court's time.

(ix) Specialised benches are constituted to list particular type of matters relating to that branch of law. in which the Honourable Judges constituting the Specialised Bench are experts. This enables the Specialised Bench to dispose of such matters expeditiously.

(x) The Hon'ble Chief Justice of India has recently directed that the Counsel in each matter must file written arguments, if the arguments are to take more than five hours on each side. The oral arguments on each side are now restricted to five hours, unless the court feels that more time is to be given to Counsel, in which case a maximum of ten hours are given for oral arguments to each side. The length of oral arguments by counsel of both the sides have thus been curtailed, which results in the quick disposal of matters.

6. The Government have entrusted to the Law Commission, the study of the judicial system to introduce necessary reforms. The terms of reference are:

(I) the need for decentralisation of the system of administration of justice by:—

(i) establishing, extending and strengthening in rural areas the institution of Nyaya Panchayats or other mechanisms for resolving disputes;

(ii) setting up a system of participatory justice with defined jurisdiction and powers in suitable areas and centres;

(iii) establishing other tiers or systems within the judicial hierarchy to reduce the volume of work in the Supreme Court and the High Courts.

(II) the matters for which Tribunals (excluding Services Tribunals) as envisaged in Part-XIV-A of the Constitution need to be established expeditiously and various aspects related to their establishment and working.

(III) the procedural laws with a view generally to disposing of cases

expeditiously, eliminating unnecessary litigation, delays in hearing of cases and reforms in procedures and procedural laws and particularly to devising procedures appropriate to the forums envisaged in items (I) (i) and (I) (ii);

(iv) the method of appointments to Subordinate Courts/subordinate Judiciary;

(v) the train of Judicial Officers;

(vi) the role of the legal profession in strengthening the system of administration of justice;

(vii) the desirability of formulation of the norms, which the Government and the Public Sector Undertakings should follow in the settlement of disputes including a review of the present system for conduct of litigation on behalf of the Government and such undertakings.

(viii) the expenses of litigation with a view to lessening the burden on the litigants;

(ix) formation of an All India Judicial Service; and

(x) such other matter as the Commission considers proper or necessary for the purpose a foresaid or as may be reffered to it from time to time by the government.

Preventing industrialists from making their units sick

1849. SHRI KAPIL VERMA: Will the Minister of INDUSTRY be pleased to state:

(a) what step sare being taken to prevent Industrialists from turning their units sick through wilful negligence;

(b) how many units in the country are sick today and what is the amount of Bank credit locked thereby; and

(c) what steps Government are taking to check this process of Industrial units turning sick?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT IN THE MINISTRY OF INDUSTRY (SHRI M. ARUNACHALAM): (a) Recently "The Sick Industrial Companies (Special Provisions) Act, 1985' has been enacted which *inter-alia*, provides for the following punitive/deterrent measures to be taken by the Board for Industrial and Financial Reconstruction (BIFR) in respect of sick units:—

(i) If in the course of any enquiry the BIFR finds any misfeasance, malfeasance or nonfeasance or finds that there has been any breach of trust on the part of the management of the sick industrial company, BIFR would take steps for rectification and also make a report to the Central Government for dealing with the matter in such manner as the Central Government may deem fit.

(ii) If the Board is satisfied that a person had diverted the funds or property of sick industrial company or had managed the affairs of the company in a manner highly detrimental to the interest of the company, the BIFR shall, by order, direct the public financial institutions scheduled banks and State-level institutions not to provide any financial asistance to such a person or to a firm in which such person is a partner or to a company in which such person is a director, during a period of 10 years from the date of the order.

(b) The data on sick industrial units assisted by banks are collected by the Reserve Bank of India as per the definition of sickness adopted by it. According to this data availlable upto June, 1985 the total number of sick units of 99,668, and the total amount of credit locked up in these units is Rs. 3805.17 crores.